

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

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DATE: June 28, 2001

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA01-0023 for a Variance.

PROPOSAL: Request for approval of a variance to reduce the minimum rear setback to facilitate the construction of a single-story room addition to a single family home. The variance requested reduces the required 15 foot setback, to 10 feet. The subject site is zoned R1 (single family residential).

LOCATION: The site is located in the Rossmoor Area at 12511 Martha Ann Lane within the Second Supervisorial District.

APPLICANT: Robert and Jeanette Lenzini, owners.

STAFF Marta B. Crane, AICP, Project Manager
CONTACT: Phone: (714) 834-5144 FAX: (714) 834-4652

SYNOPSIS: The Current Planning Services Division recommends Zoning Administrator approval of Variance Application No. PA01-0023, subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The subject site was developed in 1959 as a 1,735 square foot, single family residence with an attached two-car garage in the front. The house is set back 20 feet from the front property line; 35 feet from the rear property line; 8 ½ feet from the north side property line, and 5½ feet from the south side property line.

The residence was originally developed with a side entry garage similar to many other homes in the Rossmoor area. Because the driveway needed for a side entry garage can take up substantial space from the front yard, many Rossmoor homes can only be expanded toward the rear of the property. This space limitation, typical of many Rossmor homes, is true in the case of Mr. Lenzini's property as well. Therefore, Mr. Lenzini is proposing a room addition to his property along the rear yard.

There are other homes in the Rossmoor area adjacent to the Freeway that have room additions built at the rear of the property. Many of these homes obtained variances for a reduced rear setback for encroachments that ranged from 5 to 7 feet depending upon the specific circumstances of each lot. Mr.

Lenzini's room addition will need the approval of a variance to encroach 5 feet into the required 15 foot rear setback.

SURROUNDING LAND USE:

The subject site backs up to the northbound 405 Freeway transition road to the northbound 605 Freeway to the west. To the south, north and east, the site is surrounded by single family homes also zoned R1 (Single Family Residential).

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site; at 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to various reviewing Orange County Divisions and to the Rossmoor Homeowners Association. The homeowner's association did not express any objections to the proposed project, and as of the writing of this staff report, there are no issues raised by other Orange County Divisions.

CEQA COMPLIANCE:

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is Categorically Exempt from the requirements (Class 5, minor alterations in land use such as setback variance). Appendix A contains the required CEQA finding.

DISCUSSION/ANALYSIS:

Mr. And Mrs. Lenzini are seeking approval of a variance to facilitate the construction of a room addition that will include a family room, a storage room, a bedroom and a bathroom. The proposed addition will extend 25 feet into the back yard, including a 5 foot encroachment into the required 15 foot rear setback. The rear of this property faces the transition road between the northbound 405 and the northbound 605 Freeways. Because of the close proximity to the Freeway, a second story room addition would have been directly exposed to the freeway, thus unduly affected by increased noise and air pollution. These particular site conditions make a one story room addition the only practical alternative for the applicant, however, the space available in the back yard is not sufficient for a room addition without the proposed five foot encroachment.

There are no residential uses located to the rear of this property. If approved, the setback reduction will not impose any detrimental impacts to any adjacent properties. The proposed room addition will maintain an 8 ½ foot setback from the nearest residential structure to the north, which is well above the 5 foot minimum requirement. On the other hand, any potential impacts generated to the subject room addition due to its proximity to the freeway will be mitigated by the remaining 10 foot rear setback and by the enhanced construction standards to which this room addition will be built. The applicants have agreed to provide additional sound attenuation insulation and glazing to reduce air quality and noise impacts from the freeway traffic.

CONCLUSION OR SUMMARY:

Should this variance be approved, the proposed room addition will have a more than adequate setback separation from the two adjacent residential properties and it will be built with sufficient sound attenuation to mitigate the noise impact from the freeway. To the north, the setback of this room addition will be 8 ½ feet and to the south, the setback will be 31½ feet. A second story alternative for this property would expose the new rooms to a high level noise from the freeway traffic. Therefore, staff supports approval of this variance provided the applicant agrees to implement the conditions of approval recommended for this project.

RECOMMENDED ACTION:

The Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA01-0023 for a rear setback variance, subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief
CPSD/Site Planning Section

MBC

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APPENDICES:

- A. Recommended Findings
- B. Recommended Conditions of Approval

EXHIBITS:

1. Applicant's Letter of Explanation
2. Site Plans and Elevations

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$ 245.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.